

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 2754 of 2005

Between:

CH.Dayanad, S/o. late Hari Rao,
Prop of M/s Harsha Pulvering Industry,
H.No.1-19, Sri Nagar Colony, Lalbazar, Secunderabad.

..... PETITIONER

AND

- 1 The Managing Director, AP. State Finance Corporation,
Chiragali Lane, Abids, Hyderabad.
- 2 The Branch Manger, AP.State Finance Corporation ,
R.R.Branch (West) 4th Floor , Chiragali Lane, Abids, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ of Mandamus or any other appropriate writ or order or direction declaring the action of the respondent in not deliver the possession of the property and refund of the amount Rs., 3,50,000/- as illegal, arbitrary and violative of principles of natural justice apart from violative of fundamental rights guaranteed under Articles 14 and 21 of the Constitution of India and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.DASARI VIJAYA KUMAR

**Counsel for the Respondent No.: MS.Y.N.LOHITA (SC FOR AP FINANCE
CORP)**

The Court at the stage of admission made the following ORDER :

ORDER:

This writ petition is filed to declare the action of the respondent in not delivering the possession of the property and refund of the amount of Rs.3,50,000/- as illegal, arbitrary.

Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents.

Admittedly, the first respondent has to take appropriate decision in pursuance of the representation made by the petitioner on 18.12.2004 as to whether the petitioner is entitled for refund of amount of Rs.3,50,000/- together with interest or not.

Therefore, without going into the merits of the case, the writ petition is disposed of directing the first respondent to take appropriate decision in accordance with law on the representation of the petitioner dated 18.12.2004 within a period of four weeks from the date of receipt of a copy of this order. No costs.

K.C. Bhanu, J

Date: 18.02.2005

Note: Furnish CC in two days

B/o.

va/usd

To

1 The Managing Director, AP. State Finance Corporation,
Chiragali Lane, Abids, Hyderabad.

2 The Branch Manger, AP.State Finance Corporation ,
R.R.Branch (West) 4th Floor , Chiragali Lane, Abids, Hyderabad.

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